

SUPPORTING STATEMENT FOR
EPA INFORMATION COLLECTION REQUEST NUMBER 1597.04
"REPORTING AND RECORDKEEPING REQUIREMENTS FOR UNIVERSAL WASTE"
March 1, 2001

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1. IDENTIFICATION OF THE INFORMATION COLLECTION

1(a) TITLE AND NUMBER OF INFORMATION COLLECTION

This ICR is entitled "Reporting and Recordkeeping Requirements for Universal Waste," ICR number 1597.04.

1(b) SHORT CHARACTERIZATION

Under the authority of the Resource Conservation and Recovery Act of 1976 (RCRA), as amended, EPA promulgated streamlined regulations at 40 CFR Part 273 that govern the collection and management of widely generated hazardous wastes known as universal wastes. Universal wastes share the following characteristics:

- C They are frequently generated in a wide variety of settings other than the industrial settings usually associated with hazardous wastes;
- C They are generated by a vast community, the size of which poses implementation difficulties for those who are regulated and regulatory agencies; and
- C They may be present in significant volumes in non-hazardous waste management systems.

EPA has identified hazardous waste batteries, certain hazardous waste pesticides, hazardous waste thermostats, and hazardous waste lamps as universal wastes. Other wastes may be added to the universal waste list if EPA determines such regulation to be appropriate; sections 273.80 and 273.81 set forth a formal process by which organizations can petition EPA to have a waste or waste category added to the universal waste system. The regulations allow handlers and transporters to manage universal wastes under a reduced set of regulatory requirements. Destination facilities (i.e., those facilities accepting universal waste for treatment, recycling, or disposal) are still subject to the same standards applicable to treatment, storage, disposal, and recycling facilities under the full RCRA Subtitle C hazardous waste regulations.

The Part 273 regulations establish two types of handlers of universal wastes: small quantity handlers of universal waste (SQHUW) and large quantity handlers of universal waste (LQHUW). SQHUWs do not accumulate more than 5,000 kg of any one category of universal waste at one time, while LQHUWs may accumulate quantities at or above this threshold. More stringent requirements are imposed on LQHUWs because of greater potential environmental risks.

The universal waste regulations are designed to accomplish the following general goals:

- C Encourage resource conservation while ensuring protection of human health and the environment;
- C Improve implementation of the Subtitle C hazardous waste program through a simplified set of requirements that are easily understood by handlers of universal waste; and
- C Separate universal waste from the municipal wastestream by encouraging individuals and organizations to collect these wastes and to manage them in an appropriate hazardous waste management system.

This ICR is a comprehensive description of all of the information collection requirements contained

at 40 CFR Part 273.¹

2. NEED FOR AND USE OF THE COLLECTION

2(a) Need and Authority for the Collection

EPA promulgated the universal waste regulations at Part 273 under the authority of Subtitle C of RCRA. EPA needs to collect information to ensure that universal waste is being managed in a manner protective of human health and the environment. For example, EPA needs to collect notifications of universal waste management from LQHUWs to obtain general information on these handlers and to facilitate enforcement of the Part 273 regulations. EPA promulgated labeling and marking requirements and accumulation time limits to ensure that universal waste is being accumulated responsibly. EPA needs to collect information on illegal universal waste shipments to enforce compliance with applicable regulations. Finally, EPA requires tracking of universal waste shipments to help ensure that universal waste is being properly treated, recycled, or disposed.

2(b) Use and Users of the Data

EPA uses collected information to ensure that universal waste is being managed in a protective manner. This data aids the Agency in tracking universal waste shipments and identifying improper management practices. In addition, information kept in facility records helps handlers and destination facilities to ensure that they and other facilities are managing universal waste properly. Finally, petitions submitted under sections 273.80 and 273.81 in support of regulating other wastes or waste categories under Part 273 help EPA to compile information on these wastes, and to determine whether regulation as a universal waste is appropriate.

3. NONDUPLICATION, CONSULTATIONS, AND OTHER COLLECTION CRITERIA

3(a) NONDUPLICATION

One of the primary purposes of the universal waste program is to give the regulated community a streamlined set of requirements for managing universal wastes. These streamlined requirements minimize the paperwork activities respondents must undertake in relation to the full hazardous waste program, and enable them to follow standard industry practices and other Federal agency requirements, where appropriate, to satisfy the universal waste requirements. For example, LQHUWs may use a log, invoice, bill of lading, or other shipping document to track off-site shipments received and sent (i.e., in lieu of a RCRA manifest). As such, the universal waste requirements minimize the potential for duplication with other paperwork requirements of EPA's and other Federal agencies' regulatory programs.

3(b) CONSULTATIONS

During February of 2001, EPA conducted consultations with States, recyclers and trade associations to update the assumptions in this ICR. Among other things, EPA requested information on the number of LQHUWs, SQHUWs, and universal waste recyclers in operation. EPA used their feedback to estimate the respondent universe in this ICR. Table 1 lists the organizations.²

¹ This ICR consolidates two previously approved ICRs on the universal waste program. The ICR entitled, "Reporting and Recordkeeping Requirements for Universal Waste," ICR #1597.03, addressed the universal waste requirements promulgated on May 11, 1995 (60 FR 25542), which applied to hazardous waste batteries, pesticides, and thermostats. The ICR entitled, "Reporting and Recordkeeping Requirements for Generators of Hazardous Waste Lamps," ICR #1699.02, addressed the hazardous waste lamps rule, which amended the universal waste program on July 6, 1999 (64 FR 36488).

² The 1995 Paperwork Reduction Act (PRA) defines "collection of information" as a solicitation, requirement, or other means that calls for either answers to identical questions posed to, or identical reporting or recordkeeping requirements imposed on, ten or more persons (3502(3)(A)(i)). In performing its consultations, EPA posed one set of questions to State agencies and a different

Table 1
Organizations Contacted in Updating the ICR

Name of Organization
STATES
Alabama Department of Environmental Management
Arkansas Department of Environmental Quality
Florida Department of Environmental Protection
Georgia Environmental Protection Division
Nebraska Department of Environmental Quality
Oregon Department of Environmental Quality
West Virginia Division of Environmental Protection
Wyoming Department of Environmental Quality
RECYCLERS AND TRADE ASSOCIATIONS
Association of Lighting and Mercury Recyclers
Rechargeable Battery Recycling Corporation
Thermostat Recycling Corporation (part of the National Electrical Manufacturers Association)

3(c) EFFECTS OF LESS FREQUENT COLLECTION

EPA has carefully considered the burden imposed upon the regulated community by the regulations. EPA is confident that those activities required of respondents are necessary and has attempted to minimize the burden imposed. EPA believes strongly that if the minimum requirements specified under the regulations are not met, neither the facilities nor EPA can ensure that universal waste is being managed in a manner protective of human health and the environment.

3(d) GENERAL GUIDELINES

This ICR adheres to the guidelines stated in the 1995 Paperwork Reduction Act, OMB's implementing regulations, OMB's Information Collection Review Handbook, and other applicable OMB guidance.

3(e) CONFIDENTIALITY

Section 3007(b) of RCRA and 40 CFR Part 2, Subpart B, which define EPA's general policy on the public disclosure of information, contain provisions for confidentiality.

3(f) SENSITIVE QUESTIONS

No questions of a sensitive nature are included in any of the information collection requirements.

set of questions to trade associations/recyclers. As such, EPA's consultations did not qualify as a "collection of information" under the PRA.

4. THE RESPONDENTS AND THE INFORMATION REQUESTED

4(a) RESPONDENTS AND SIC/NAICS CODES

Table 2 presents a list of Standard Industrial Classification (SIC) codes associated with industries most likely affected by the information collection requirements covered under this ICR. Also shown are the North American Industrial Classification System (NAICS) codes that correspond to the SIC codes listed.³

Table 2
List of SIC and NAICS Codes

Description	SIC Codes	NAICS Codes
Crop Production	01	011
Soil Preparation	0711	115112
Crop Services and Harvesting	072	115113
Landscape Services	078	54132 56173
Forestry and Logging	08	113 1153
Plumbing, Heating, and Air Conditioning	171	23511
Wrecking and Demolition Work	1795	23594
Textile Mills	22	313
Pulp Mills	261	3221
Paper Manufacturing	266	322
Printing and Publishing	27	323
Inorganic Chemicals Manufacturing	281	32518
Plastics and Synthetic Resins	282	325212
Pharmaceutical and Medicine Manufacturing	283	3254
Soap, Detergents, etc.	284	325611
Paints, Varnishes, etc.	285	32551
Organic Chemicals Manufacturing	286	32519
Pesticides, Fertilizers, and Other Agricultural Chemical Manufacturing	287	3253
Plastics and Rubber Product Manufacturing	30	326
Leather Tanning and Finishing	3111	31611
Ceramic Wall and Floor Tile	3253	327122
Asbestos Products including brake linings	3292	33634 327999
Primary Metal Industries	33	331
Fabricated Metal Products	34	332
Industrial and Commercial Machinery and Computer Equipment	35	333 334
Electronics and Other Electrical Equipment and Components, Except Computer	36	335
Transportation Equipment	37	336

³ SIC codes and the corresponding NAICS codes can be found in the [Federal Register](#) at 61 [FR](#) 57006, November 5, 1996. Note that an SIC code may have many corresponding NAICS codes. EPA used its best judgement to list the most relevant NAICS codes in Table 2.

Description	SIC Codes	NAICS Codes
Medical Equipment, Including Ophthalmic Goods	3851	33911
Miscellaneous Manufacturing	39	339
Rail Transportation	401	482
Transit and Ground Passenger Transportation	41	485
Motor Freight Transportation Warehousing	42	484 493
Air Transportation	45	481
Electric, Gas, and Sanitary Services	49	221
Scrap and Waste Materials	5093	42193
Wholesale Petroleum Marketing	517	4543 4227
Automobile Dealers	551	4411
Dry Cleaning and Laundry Services	721	8123
Photographic Studios	722	541921
Funeral Services and Crematories	726	8122
Miscellaneous Business Service	739	561439
Automotive Repair Services	753	8111
Motion Picture and Video Industries	781	5121
Services to Buildings and Dwellings	734	5617
Health Services	80	62
Colleges, Universities, Professional Schools, and Junior Colleges	822	61121 61131
Research, Development, and Testing Services	873	5417 5419
Other Services	8999	54169 54199
National Security	971	92811
Nonclassifiable Establishments	9999	N/A

4(b) **INFORMATION REQUESTED**

This section describes information collection requirements applicable to SQHUWs, LQHUWs, and/or destination facilities.

Notification

(i) **Data items:**

Section 273.32 requires LQHUWs to send written notification of universal waste management to the Regional Administrator, and receive an EPA identification number, before exceeding the 5,000 kilogram accumulation limit of universal waste. (Sections 273.32(a)(2) and (3), however, exempt LQHUWs from this requirement if they have already notified EPA of: (1) hazardous waste activities under RCRA; or (2) pesticide management under FIFRA.)

The notification must include the following data items:

- C Universal waste handler's name and address (§273.32(b)(1));

- C Name and phone number of the contact person at the universal waste handler's site (§273.32(b)(2));
 - C Location of the universal waste management activities (§273.32(b)(3));
 - C A list of all types of universal waste managed (§273.32(b)(4)); and
 - C A statement that 5,000 kilograms or more of waste are accumulated at one time, and a description of the types of waste accumulated above this quantity (§273.32(b)(5)).
- (ii) Respondent activities:
- C Prepare and send written notification of universal waste management.

Labeling/Marking

- (i) Data items:

Sections 273.14 and 273.34 require SQHUWs and LQHUWs, respectively, to label or mark their universal waste. The information must identify the type of waste, and be provided on the waste itself, or the container, tank, or transport vehicle in which the waste is contained (§§273.14 and 273.34).

- (ii) Respondent activities:

- C Label or mark the universal waste to identify the type of waste.

Accumulation Time Limits

- (i) Data items:

Sections 273.15 and 273.35 require SQHUWs and LQHUWs, respectively, to demonstrate the length of time that the universal waste has been accumulated from the date it was received or became a waste. The demonstration may be made by using any of the following methods:

- C Placing the universal waste in a container and marking or labeling the container with the earliest date that any universal waste in the container became a waste or was received (§273.15(c)(1) or §273.35(c)(1));
- C Marking or labeling the individual item of universal waste with the date it became a waste or was received (§273.15(c)(2) or §273.35(c)(2));
- C Maintaining an inventory system on-site that identifies the date the universal waste being accumulated became a waste or was received (§273.15(c)(3) or §273.35(c)(3));
- C Maintaining an inventory system on-site that identifies the earliest date any universal waste in a group of universal waste items or a group of containers of universal waste became a waste or was received (§273.15(c)(4) or §273.35(c)(4));
- C Placing the universal waste in a specific accumulation area and identifying the earliest date that any universal waste in the area became a waste or was received (§273.15(c)(5) or §273.35(c)(5)); or
- C Any other method approved in advance by the Regional Administrator or the State Director (§273.15(c)(6) or §273.35(c)(6)).

(ii) Respondent activities:

- C Demonstrate the length of time that universal waste has been accumulated since it became a waste or was received.

Off-Site Shipments(i) Data items:

Sections 273.18(f), 273.38(f), and 273.61(b) require SQHUWs, LQHUWs, and destination facilities, respectively, to notify a universal waste handler if a shipment or a portion of a shipment is rejected. Sections 273.18(g), 273.38(g), and 273.61(c) require SQHUWs, LQHUWs, and destination facilities, respectively, to notify the regional EPA office of any illegal shipment of waste. The data items required for rejection notifications or illegal shipment notifications are:

- C Notification to the originating handler of the rejection of the shipment (§§273.18(f), 273.38(f), or 273.61(b)); and/or
- C Notification to EPA of the illegal shipment, including the name, address, and phone number of the originating shipper (§§273.18(g), 273.38(g), and 273.61(c)).

(ii) Respondent activities:

- C If necessary, prepare and submit a notice of rejection of shipment to the originating handler; and/or
- C If necessary, prepare and submit a notice of illegal shipment to EPA.

Tracking Universal Waste Shipments(i) Data items:

Sections 273.39 and 273.62 require LQHUWs and destination facilities, respectively, to maintain records of each universal waste shipment received and sent, and to retain those records for a period of three years from the day of receipt or sending of the shipment. The following information is required in the records:

For shipments received on site, data items must consist of:

- C The name and address of the originating universal waste handler from whom the waste was sent (§§273.39(a)(1) and 273.62(a)(1));
- C The quantity of each type of universal waste received (§§273.39(a)(2) and 273.62(a)(2)); and
- C The date the universal waste was received (§§273.39(a)(3) and 273.62(a)(3)).

For shipments sent off-site for further management, data items must consist of:

- C The name and address of the universal waste handler to whom the waste was sent (§§273.39(b)(1) and 273.62(b)(1));
- C The quantity of each type of universal waste sent (§§273.39(b)(2) and 273.62(b)(2)); and
- C The date the universal waste was sent (§§273.39(b)(3) and 273.62(b)(3)).

(ii) Respondent activities:

C For shipments received on site, maintain records for a period of three years.

C For shipments sent off-site, maintain records for a period of three years.

Petitions to Include Other Wastes Under 40 CFR Part 273(i) Data items:

Section 273.80 allows any person to petition EPA for an amendment to add a hazardous waste or category of hazardous waste to the universal waste regulations in 40 CFR Part 273. The petitioner must demonstrate that regulation under part 273 is: (1) appropriate for the waste or category of waste, (2) will improve management practices for the waste or category of waste, and (3) will improve implementation of the hazardous waste program. The demonstration must include:

C A description of the need for regulation and regulatory impacts (§273.80(b)).

C Information required under 40 CFR 260.20(b):

- Petitioner's name and address;
- Statement of the petitioner's interest;
- Description of the proposed action; and
- Statement of the need and justification for the action.

C Information addressing the factors listed in 40 CFR 273.81, including data demonstrating the following:

- The waste or category of waste is listed in Subpart D of Part 261, or a proportion of the waste exhibits characteristics of waste identified in Subpart C of Part 261;
- The waste or category of waste is not exclusive to a specific industry or group of industries, but is commonly generated by a wide variety of types of establishments;
- The waste or category of waste is generated by a large number of generators, and is generated in relatively small quantities by each generator;
- n Systems to be used for collecting the waste would ensure close stewardship of the waste;
- The risk posed by the waste during accumulation and transport are low relative to other hazardous wastes, and management standards proposed by the petitioner would be protective of human health and the environment during accumulation and transport;
- Regulation of the waste under Part 273 will increase the likelihood that the waste will be diverted from non-hazardous waste management and into management in compliance with Subtitle C of RCRA;
- Regulation of the waste under Part 273 will improve implementation of and compliance with the hazardous waste regulatory program; and
- Any other factors which may be appropriate.

(ii) Respondent activities:

C Prepare and submit a petition supporting regulation of a waste or waste category under Part 273.

5. THE INFORMATION COLLECTED – AGENCY ACTIVITIES, COLLECTION METHODOLOGY, AND INFORMATION MANAGEMENT

5(a) AGENCY ACTIVITIES

Most information required of universal waste handlers is maintained in records and therefore is not formally submitted to EPA. The Agency conducts the following activities in response to information submittals:

- C Review and file notification of universal waste management;
- C Send an EPA identification number to universal waste handlers who wish to exceed the 5,000 kilogram limit on accumulation;
- C Enter notification information into a database;
- C Review and file notices of rejected or illegal waste shipments;
- C Review petitions supporting regulation of a waste or category of waste under the Part 273 universal waste regulations;
- C Prepare and send a written decision to the petitioner; and
- C Compile and file all information on the petition.

5(b) COLLECTION METHODOLOGY AND MANAGEMENT

In collecting and analyzing the information associated with this ICR, EPA uses electronic equipment such as personal computers and applicable database and modeling software. EPA ensures the accuracy and completeness of the collected information by reviewing each submittal. EPA enters information into a database and aggregates data to monitor the universal waste program.

5(c) SMALL ENTITY FLEXIBILITY

In promulgating the universal waste regulations covered under this ICR, EPA considered the reporting and recordkeeping burden for small businesses. The regulations in Part 273 allow universal waste handlers to maintain most information in facility records rather than in submittals to EPA, thus reducing time and costs for providing information.

EPA also exempted SQHUs from several administrative requirements. For example, EPA does not require SQHUs to submit notifications of universal waste management, or to obtain an EPA identification number. EPA also does not require SQHUs to track (keep records of) their universal waste shipments. EPA believes these exemptions encourage small businesses to safely manage universal waste in compliance with Part 273. In addition, EPA allows universal waste generators to count their monthly generation of universal wastes separately from their other hazardous wastes in determining their regulated status under 40 CFR 261.5. Generators who generate 100 kilograms of universal waste or less in a calendar month may comply with the universal waste regulations or the exemption in section 261.5.

Finally, the universal waste system is a regulatory relief initiative that should reduce regulatory burden and costs for all universal waste handlers, but should particularly benefit small entities.

5(d) COLLECTION SCHEDULE

EPA collects information under the Part 273 regulations on a one-time or as-needed basis. EPA does not collect any information on a regular schedule.

EPA expects LQHUWs to submit notifications of universal waste management before they meet or exceed the 5,000 kilogram accumulation limit. EPA expects any universal waste handler to notify EPA if it receives an illegal shipment of waste. EPA expects to receive petitions under sections 273.80 and 273.81 if and when an organization believes that a waste or category of waste should be subject to the Part 273 universal waste regulations rather than full Subtitle C requirements.

6. ESTIMATING THE BURDEN AND COST OF COLLECTION

6(a) ESTIMATING RESPONDENT BURDEN

Exhibits 1 and 2 present the estimated respondent burden and costs associated with the information collection requirements covered in this ICR. Exhibit 1 shows the average burden (i.e., time) and cost incurred by SQHUWs, LQHUWs, and destination facilities in complying with each requirement. Exhibit 2 summarizes the total respondent burden and costs for SQHUWs, LQHUWs, and destination facilities.

6(b) ESTIMATING RESPONDENT COSTS

EPA estimates an average hourly respondent labor cost (including fringe and overhead) of \$100.54 for legal staff, \$76.47 for managerial staff, \$50.05 for technical staff, and \$26.19 for clerical staff. To arrive at these estimates, EPA consulted Bureau of Labor Statistics' employment cost statistics.

In the following paragraphs, EPA estimates capital costs associated with the information requirements covered by this ICR. Capital costs usually include any produced physical good needed to provide or keep records of the needed information, such as machinery, computers, and other equipment. For this ICR, the only required capital is file cabinets for maintaining reports. As shown in Exhibit 2, EPA estimates the total average annual capital cost to all respondents, collectively, to be approximately \$2,081. EPA took the following steps to derive these costs:

C Estimate the total annual volume of reports required to be retained by all respondents. In total, EPA estimates that destination sites must maintain 105,896 pages of records annually, and LQHUWs must maintain 58,127 pages. (See section 6(d) of this ICR for EPA's assumptions behind these estimates. Records are kept under 40 CFR 273.39 and 273.62.)

C Ascertain the number of standard-size file cabinets that would provide the needed capacity and estimate the aggregate purchasing price. Given that a standard-size, five-drawer, lateral file cabinet holds approximately 16,000 pages, EPA estimates that the hazardous waste industry would need to purchase approximately ten file cabinets each year (i.e., 164,023/16,000). These file cabinets represent the total capacity needed by the industry, collectively, to store all of its reports. Based on its consultations, EPA estimates that the purchasing price for one file cabinet is \$550 and for all ten, \$5,500.

C Annualize the aggregate purchasing price using a net present value formula. EPA used the following annualization formula to calculate the annual cost to the hazardous waste industry to acquire these file cabinets:

$$\text{Annual Cost} = (A/P, k, t),$$

where A/P = capital recovery factor;

k = discount rate of 7 percent;

t = record retention period (3 years).

C In total, EPA estimates that LQHUWs and destination facilities will need to pay an annual cost of \$2,081 for the ten file cabinets.

O&M costs are those costs associated with a paperwork requirement incurred continually over the life of the ICR. They are defined by the PRA as “the recurring dollar amount of cost associated with O&M or purchasing services.” For this ICR, O&M costs cover postage and an envelope for reports sent to other parties (34 cents postage, 3 cents per envelope).

6(c) **ESTIMATING AGENCY BURDEN AND COST**

Exhibit 3 presents the estimated Agency burden and costs associated with all the requirements covered in this ICR. Based on the 2001 GS pay schedule, EPA estimates an average hourly labor cost of \$61.32 for legal staff, \$44.11 for managerial staff, \$30.95 for technical staff, and \$18.82 for clerical staff. For purposes of this ICR, EPA assigned Agency staff the following government service levels:

Legal staff	GS-15, Step 1
Managerial staff	GS-13, Step 1
Technical staff	GS-11, Step 1
Clerical staff	GS-06, Step 1

EPA divided annual compensation estimates by 2,080, the number of hours in a Federal work-year, and multiplied the rates by the standard government overhead factor of 1.6 to derive hourly rates.

6(d) **ESTIMATING THE RESPONDENT UNIVERSE**

Reading the Regulations

The universal waste management system covers handlers of hazardous waste batteries, pesticides, thermostats, and lamps. Hazardous waste batteries consist of sealed nickel-cadmium (n-c) batteries, vented n-c batteries, and mercuric oxide batteries. Hazardous waste pesticides consist of pesticides that are recalled by a manufacturer, and unused pesticides that are collected and managed as part of a waste pesticide collection and disposal program administered or recognized by a state. Hazardous waste thermostats consist of mercury-containing thermostats that are removed from service. Hazardous waste lamps consist of the bulb or tube portion of an electric lighting device, such as fluorescent, high intensity discharge, neon, mercury vapor, high pressure sodium, and metal halide lamps.

Table 3 presents the estimated waste handler universe for these universal wastes. EPA expects that all universal waste handlers and destination facilities will read the applicable regulations each year. To estimate the number of large and small quantity handlers of universal waste, EPA conducted consultations with the sample of States listed in Section 3(b) of this ICR. EPA then extrapolated the sample data to the entire population of large and small handlers in the U.S. As a final step, EPA spoke with the universal waste trade organizations and recyclers listed in Section 3(b) who agreed that the estimates are reasonable. Table 3 presents the Agency’s estimates of the respondent universe: 118,367 SQHUWs, 11,414 LQHUWs, and 58 destination facilities (i.e., 37 recyclers and 21 commercial landfills).⁴

Table 3
Estimated Number of Annual Universal Waste Handlers and Destination Facilities

Number of SQHUWs	Number of LQHUWs	Number of Destination Facilities
118,367	11,414	58

⁴ The number of commercial landfills was obtained from an analysis of the 1995 and 1997 Biennial Reporting System (BRS) data. EPA estimated the number of recyclers of universal waste based on consultations with the individuals listed in Section 3(b) of this ICR.

Notification

All LQHUWs are required to send to EPA a written notification of universal waste management under section 273.32. However, the following LQHUWs do not need to notify: (1) a LQHUW that has already notified EPA of its hazardous waste activities and received an EPA Identification Number; and (2) a LQHUW of exclusively recalled universal waste pesticides that has sent notification to EPA required under FIFRA section 19(b) and 6(b). EPA estimates that 20 percent of LQHUWs (i.e., 2,283) need to notify EPA of their activities each year.

Labeling/Marking

All SQHUWs and LQHUWs must label or mark their universal waste for identification purposes. EPA expects that all SQHUWs and LQHUWs label or mark containers, tanks, and transport vehicles used to store universal waste. Handlers are not expected to mark each individual piece of universal waste but rather accumulate them in clearly marked containers and vehicles, thus minimizing the recordkeeping burden.

Storage Time Limits

EPA expects all handlers subject to the universal waste management system to keep records under sections 273.15 and 273.35 that demonstrate how long their waste has been stored. EPA estimates that 80 percent of handlers (i.e., 94,694 SQHUWs and 9,131 LQHUWs) make this demonstration by labeling storage containers or storage areas with the earliest date that universal waste became a waste or was received. EPA estimates that the other 20 percent of facilities (23,673 SQHUWs and 2,283 LQHUWs) use a standard business practice to account for storage time; these facilities therefore are not burdened in this ICR.

Off-Site Shipments

All SQHUWs, LQHUWs, and destination facilities are required to notify an originating handler if a universal waste shipment is rejected. (See Table 4 for the estimated number of total shipments sent and received by universal waste handlers.) EPA estimates that 0.5 percent of all shipments received by SQHUWs, LQHUWs, and destination facilities are rejected. Since EPA estimates that there are a total of 141,195 universal waste shipments each year, there will be approximately 705 annual rejection notices. EPA estimates that 75 percent of these notices (i.e., approximately 529) are issued by destination facilities, with the remaining 25 percent (i.e., approximately 176) issued by LQHUWs and SQHUWs.

All SQHUWs, LQHUWs, and destination facilities also are required to notify EPA if they receive a shipment containing hazardous waste that is not a universal waste. EPA estimates that 0.25 percent of all shipments received are illegal shipments. Thus, EPA expects to receive approximately 353 notices of illegal shipments each year. EPA estimates that 75 percent of these notices (i.e., 265) are issued by destination facilities, with 25 percent (i.e., 88) issued by LQHUWs and SQHUWs.

Table 4
Estimated Annual Number of Universal Waste Shipments

Type of Universal Waste Handler	Number of Handlers	Annual Number of Shipments per Handler	Annual Number of Shipments
SQHUW	118,367	1	118,367
LQHUW	11,414	2	22,828
TOTAL	129,781	Varies	141,195

Tracking Universal Waste Shipments

Table 4 presents the estimated number of universal waste shipments each year. LQHUWs and destination facilities are required under sections 273.39(a) and 273.62(a) to keep records of each shipment of universal waste received. EPA estimates that 75 percent of all universal waste shipments are received by destination facilities, with the remaining 25 percent received by LQHUWs for consolidation and eventual shipment. Thus, destination facilities will need to maintain records for 105,896 annual shipments, and LQHUWs for 35,299 annual shipments.

LQHUWs also are required under section 273.39(b) to keep records of each universal waste shipment sent off-site to another facility. As shown in Table 4, EPA estimates that LQHUWs send a total of 22,828 universal waste shipments off site each year.

Petitions to Include Other Wastes Under 40 CFR Part 273

EPA expects that each year, one organization will prepare and submit a petition supporting regulation under Part 273 for a waste or waste category.

6(e) BOTTOM LINE BURDEN HOURS AND COSTS

Respondent Tally

In Exhibit 1, EPA presents the average amount of time needed for SQHUWs, LQHUWs, and destination facilities to comply with each paperwork requirement in 40 CFR Part 273. In Exhibit 2, EPA summarizes the total annual respondent burden and cost for the universal waste regulations for SQHUWs, LQHUWs, and destination facilities. As shown in Exhibit 2, the bottom line annual respondent burden is estimated to be 218,168 hours with a cost of approximately \$10,285,683. The bottom line burden to respondents over the three-year period covered by this ICR is estimated at 654,504 hours, with a cost of approximately \$30,857,049.

Agency Tally

In Exhibit 3, EPA presents the total annual Agency burden and costs associated with the universal waste regulations. The bottom line annual Agency burden is estimated to be 3,395 hours with a cost of approximately \$118,096. The bottom line burden for the Agency over the three-year period covered by this ICR is estimated to be 10,185 hours, with a cost of \$354,288.

6(f) REASONS FOR CHANGE IN BURDEN

This ICR (i.e., #1597.04) consolidates two previously approved ICRs on the universal waste program. The ICR entitled, "Reporting and Recordkeeping Requirements for Universal Waste," ICR #1597.03, addressed the universal waste requirements promulgated on May 11, 1995 (60 FR 25542), which applied to hazardous waste batteries, pesticides, and thermostats. The ICR entitled, "Reporting and Recordkeeping Requirements for Generators of Hazardous Waste Lamps," ICR #1699.02, addressed the hazardous waste lamps rule, which amended the universal waste program on July 6, 1999 (64 FR 36488). Collectively, these two ICRs estimated an annual respondent burden of 249,975 hours.

The annual respondent burden in this current ICR (#1597.04) is estimated to be 218,168 hours, which is a decrease of 31,807 hours from the previous ICRs. This decrease occurred because EPA updated the universe assumptions in this ICR. Specifically, ICR #1597.03 estimated a respondent universe of 79,510 handlers (i.e., LQHUWs, SQHUWs, and destination facilities) of hazardous waste pesticides, thermostats, and batteries. ICR #1699.02 estimated a respondent universe of 99,398 handlers of hazardous waste lamps. Collectively, then, their annual burden estimates were based on a respondent universe of 178,908 universal waste handlers.

In preparing the current ICR (#1597.04), EPA recognized that the universe populations in the two ICRs were not completely additive, e.g., that some generators of hazardous waste batteries also might generate hazardous waste lamps. In addition, the universe assumptions in the previous ICRs are two or three years old and are thus obsolete. To address these concerns, EPA updated this ICR's respondent universe assumptions by consulting with State representatives on the number of large and small handlers of universal waste batteries, pesticides, thermostats, and lamps. EPA then extrapolated their feedback to the entire population of handlers in the country, and spoke with a few trade organizations and recyclers who agreed that our estimates are reasonable.

In the end, this ICR estimates a total respondent universe of 129,839 LQHUWs, SQHUWs, and destination facilities. This represents a decrease of 49,069 handlers from the previous ICRs' estimate of 178,908 waste handlers.

6(g) **BURDEN STATEMENT**

Table 5 presents the estimated average burden hours per respondent per year for the reporting and recordkeeping requirements covered by this ICR. The average public recordkeeping burden for SQHUWs under this collection of information is estimated to be 1.4 hours per year. This estimate includes time for reading the regulations, labeling universal waste, and maintaining records demonstrating the length of storage. The reporting burden for SQHUWs (for submitting notices of rejected or illegal universal waste shipments) is expected to be negligible. The recordkeeping burden for LQHUWs under this collection of information is estimated to be 2.8 hours per year. This estimate includes time for reading the regulations, labeling universal waste, maintaining records demonstrating the length of storage, and maintaining records of universal waste received and sent. The reporting burden for LQHUWs is estimated to be 0.5 hours per year. This estimate includes time for notifying EPA of universal waste management, and preparing and submitting notices of rejected or illegal universal waste shipments. The recordkeeping burden for destination facilities is estimated to be 183.1 hours per year. This estimate includes time for reading the regulations and maintaining records of universal waste received. The reporting burden for destination facilities is estimated to be 18.4 hours per year. This estimate includes time for preparing and submitting notices of rejected or illegal universal waste shipments.⁵

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 1.

Table 5
Average Annual Respondent Burden

⁵ Note that EPA calculated the public reporting and recordkeeping burdens in Section 6(g) of this ICR using a methodology that is different from the previous ICRs, i.e., 1597.03 and 1699.02. The previous ICRs calculated public burdens as a *burden per response* and presented them as a range. ICR 1597.03, for example, estimated a public reporting burden of 0 to 2.41 hours per response for destination facilities. The estimate of 2.41 hours is the maximum time it takes a destination facility to "report" to EPA (i.e., a report of illegal shipment). In ICR 1597.04, EPA revised its computational methodology to estimate the *total annual burden* per facility to conduct all of its reporting or recordkeeping activities. For example, this ICR's public reporting burden for destination facilities is now calculated as the total annual burden hours for all destination facility reporting (1,067 hours) divided by the total number of destination facilities (58), i.e., 18.4 hours/yr. EPA believes this is a more representative estimate than burden per response.

Facility Type	Average Annual Reporting Burden	Average Annual Recordkeeping Burden
SQHUW	0 hours	1.4 hours
LQHUW	0.5 hours	2.8 hours
Destination Facility	18.4 hours	183.1 hours

Send comments regarding these burden statements or any other aspect of this collection, including suggestions for reducing the burden, including through the use of automated collection techniques, to the Director, Regulatory Information Division, Office of Policy, U.S. Environmental Protection Agency (2822), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, N.W., Washington, D.C., 20503.

EXHIBIT 1

REPORTING AND RECORDKEEPING REQUIREMENTS FOR UNIVERSAL WASTE HANDLERS AND DESTINATION FACILITIES
ANNUAL ESTIMATED RESPONDENT BURDEN AND COST

	Hours and Costs Per Respondent Per Activity						Total Hours and Costs		
	O&M Costs						Number of Respondents or Activities	Total Hours per Year	Total Cost per Year
	Legal @ \$100.54/hr	Manager @ \$76.47/hr	Technical @ \$50.05/hr	Clerical @ \$26.19/hr	Postage/ Shipping @ \$0.37/doc	Cost per Respondent or Activity			
READING THE REGULATIONS									
Read the Universal Waste Regulations									
SQHUWs	0.10	0.17	0.25	0.00	\$0.00	\$35.57	118,367	61,551	\$4,210,314
LQHUWs	0.10	0.17	0.25	0.00	\$0.00	\$35.57	11,414	5,935	\$405,996
Destination facilities	0.10	0.17	0.25	0.00	\$0.00	\$35.57	58	30	\$2,063
SUBTOTAL	0.10	0.17	0.25	0.00	\$0.00	\$35.57	129,839	67,516	\$4,618,373
NOTIFICATION (273.32)									
Prepare written notification of universal waste management									
LQHUWs	0.00	1.00	0.50	0.75	\$0.00	\$121.14	2,283	5,137	\$276,563
Submit written notification of universal waste management									
LQHUWs	0.00	0.00	0.00	0.16	\$0.37	\$4.56	2,283	365	\$10,410
SUBTOTAL	0.00	1.00	0.50	0.91	\$0.37	\$125.70	2,283	5,502	\$286,973
LABELING/MARKING (273.14 and 273.34)									
Label or mark the universal waste or storage container to identify the type of universal waste									
SQHUWs	0.00	0.00	0.25	0.25	\$0.00	\$19.06	118,367	59,184	\$2,256,075
LQHUWs	0.00	0.00	0.50	0.50	\$0.00	\$38.12	11,414	11,414	\$435,102
SUBTOTAL	0.00	0.00	varies	varies	\$0.00	varies	varies	70,598	\$2,691,177
STORAGE TIME LIMITS(273.15 and 273.35)									
Mark or label storage container or area used to store universal waste with the date the waste was received or became a waste									
SQHUWs	0.00	0.00	0.25	0.25	\$0.00	\$19.06	94,694	47,347	\$1,804,868
LQHUWs	0.00	0.00	0.50	0.50	\$0.00	\$38.12	9,131	9,131	\$348,074
SUBTOTAL	0.00	0.00	varies	varies	\$0.00	varies	varies	56,478	\$2,152,942
OFF-SITE SHIPMENTS (273.18,273.36, and 273.61)									
Prepare notice to originating handler of rejection of universal waste shipment									
SQHUWs and LQHUWs	0.00	0.25	0.25	0.15	\$0.00	\$35.56	176	114	\$6,259
Destination Facilities	0.00	0.25	0.25	0.15	\$0.00	\$35.56	529	344	\$18,811
Submit notice to originating handler of rejection of universal waste shipment									
SQHUWs and LQHUWs	0.00	0.00	0.00	0.16	\$0.37	\$4.56	176	28	\$803
Destination Facilities	0.00	0.00	0.00	0.16	\$0.37	\$4.56	529	85	\$2,412
Prepare notice to EPA of illegal waste shipments									
SQHUWs and LQHUWs	1.00	0.50	0.50	0.25	\$0.00	\$170.34	88	198	\$14,990
Destination Facilities	1.00	0.50	0.50	0.25	\$0.00	\$170.34	265	596	\$45,140
Submit notice to EPA of illegal waste shipments									
SQHUWs and LQHUWs	0.00	0.00	0.00	0.16	\$0.37	\$4.56	88	14	\$401
Destination Facilities	0.00	0.00	0.00	0.16	\$0.37	\$4.56	265	42	\$1,208
SUBTOTAL	varies	varies	varies	varies	varies	varies	varies	1,421	\$90,024

EXHIBIT 1, continued

REPORTING AND RECORDKEEPING REQUIREMENTS FOR UNIVERSAL WASTE HANDLERS AND DESTINATION FACILITIES
ANNUAL ESTIMATED RESPONDENT BURDEN AND COST

	Hours and Costs Per Respondent Per Activity						Total Hours and Costs		
	O&M Costs						Number of Respondents or Activities	Total Hours per Year	Total Cost per Year
	Legal @ \$100.54/hr	Manager @ \$76.47/hr	Technical @ \$50.05/hr	Clerical @ \$26.19/hr	Postage/ Shipping @ \$0.37/doc	Cost per Respondent or Activity			
TRACKING UNIVERSAL WASTE SHIPMENTS (273.39 and 273.62)									
Keep a record of each shipment of universal waste received									
LQHUWs	0.00	0.00	0.00	0.10	\$0.00	\$2.62	35,299	3,530	\$92,483
Destination Facilities	0.00	0.00	0.00	0.10	\$0.00	\$2.62	105,896	10,590	\$277,448
Keep a record of each shipment of universal waste sent to other facilities									
LQHUWs	0.00	0.00	0.00	0.10	\$0.00	\$2.62	22,828	2,283	\$59,809
SUBTOTAL	0.00	0.00	0.00	0.10	\$0.00	varies	varies	16,403	\$429,740
PETITIONS TO INCLUDE OTHER WASTES UNDER 40 CFR PART 273 (273.80 and 278.81)									
Prepare a petition supporting regulation under Part 273 for a waste or waste category	30.00	40.00	150.00	30.00	\$0.00	\$14,368.43	1	250	\$14,368
Submit a petition supporting regulation under Part 273 for a waste or waste category	0.00	0.00	0.00	0.16	\$0.37	\$4.56	1	0.16	\$5
SUBTOTAL	30.00	40.00	150.00	30.16	\$0.37	\$14,372.99	1	250	\$14,373
TOTAL	varies	varies	varies	varies	varies	varies	varies	218,168	\$10,283,602

EXHIBIT 2:

REPORTING AND RECORDKEEPING REQUIREMENTS FOR UNIVERSAL WASTE
HANDLERS AND DESTINATION FACILITIES
ANNUAL RESPONDENT BURDEN AND COST SUMMARY

Respondent Type	Total Hours	Labor Costs	Capital Costs	O&M Costs	Total Costs
SQHUWs	168,405	\$8,291,646.21	---	\$89.09	\$8,291,735.30
LQHUWs	37,826	\$1,629,558.40	---	\$853.30	\$1,630,411.70
Destination Facilities	11,687	\$346,788.22	---	\$293.78	\$347,082.00
Petitioners	250	\$14,372.63	---	\$0.37	\$14,373.00
Capital Costs	---	---	\$2,080.97	---	\$2,080.97
TOTAL	218,168	\$10,282,365.46	\$2,080.97	\$1,236.54	\$10,285,682.97

EXHIBIT 3
 REPORTING AND RECORDKEEPING REQUIREMENTS FOR UNIVERSAL WASTE
 ANNUAL ESTIMATED AGENCY BURDEN AND COST

	Hours and Costs Per Respondent Per Activity						Total Hours and Costs		
	O&M Costs						Respondents or Activities	Total Hours per Year	Total Cost per Year
	Legal @ \$61.32/hr	Managerial @ \$44.11/hr	Technical @ \$30.95/hr	Clerical @ \$18.82/hr	Post/Shipping @ \$0.37/doc	Respondent or Activity			
NOTIFICATION (273.62)									
Review notification for completeness and accuracy									
LQHUWs	0.00	0.00	0.25	0.00	\$0.00	\$7.74	2,283	571	\$17,670
Issue EPA ID number to LQHUW									
LQHUWs	0.00	0.00	0.00	0.25	\$0.00	\$4.70	2,283	571	\$10,730
Enter information into Database									
LQHUWs	0.00	0.00	0.00	0.25	\$0.00	\$4.70	2,283	571	\$10,730
SUBTOTAL	0.00	0.00	0.25	0.50	\$0.00	\$17.14	2,283	1,713	\$39,130
OFF SITE SHIPMENTS (273.18, 273.36, and 273.61)									
Review and file notice of illegal shipment									
LQHUWs	2.00	1.00	1.00	0.25	\$0.00	\$202.40	88	374	\$17,811
Destination Facilities	2.00	1.00	1.00	0.25	\$0.00	\$202.40	265	1,126	\$53,636
SUBTOTAL	2.00	1.00	1.00	0.25	\$0.00	\$202.40	353	1,500	\$71,447
PETITIONS TO INCLUDE OTHER WASTES UNDER 40 CFR PART 273 (278.80 AND 273.81)									
Review petition and make a decision on the applicability of regulation under the universal waste program	40.00	50.00	80.00	0.00	\$0.00	\$7,134.25	1	170	\$7,134
Prepare and send written decision to the petitioner	2.00	2.00	2.00	2.00	\$0.00	\$310.39	1	8	\$310
Compile and file all information on the petition	0.00	0.00	0.00	4.00	\$0.00	\$75.27	1	4	\$75
SUBTOTAL	42.00	52.00	82.00	6.00	\$0.00	\$7,519.91	1	182	\$7,519
TOTAL	varies	varies	varies	varies	\$0.00	varies	varies	3,395	\$118,096